



**TUALATIN CITY COUNCIL  
AND  
TUALATIN DEVELOPMENT COMMISSION**  
**Monday, August 25, 2008**

City Council Chambers  
18880 SW Martinazzi Avenue, Tualatin, Oregon

WORK SESSION begins at 5:00 p.m.

REGULAR MEETING begins at 7:00 p.m.

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**Mayor Lou Ogden**

**Council President Ed Truax**  
**Councilor Chris Barhyte**  
**Councilor Monique Beikman**

**Councilor Bob Boryska**  
**Councilor Jay Harris**  
**Councilor Donna Maddux**

**WELCOME!** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda – Item C, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the world wide web at [www.ci.tualatin.or.us](http://www.ci.tualatin.or.us), at the Library located at 8380 SW Nyberg Street, and are also on file in the Office of the City Manager for public inspection. Any person who has any question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011 (voice) or 503.692.0574 (TDD). Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised “live” on the day of the meeting on Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at [www.tvctv.org](http://www.tvctv.org).

Your City government welcomes your interest and hopes you will attend the City of Tualatin City Council meetings often.

**- SEE ATTACHED AGENDA -**



## PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A “legislative” public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. The Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, deny, or “continue” the public hearing.

## PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A “quasi-judicial” public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. The Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report to the Council.
3. Public testimony is taken:
  - a) In support of the application
  - b) In opposition or neutral
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, approve with conditions or deny the application, or “continue” the public hearing.

## TIME LIMITS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 10 minutes**, subject to the right of the Mayor to amend or waive the time limits.

## EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; *ORS 192.660(2)(b)* the dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.





## OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL FOR AUGUST 25, 2008

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### A. CALL TO ORDER

Pledge of Allegiance

### B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Tualatin Tomorrow – Parks, Recreation, and  
Natural Areas Update – *Connie Ledbetter, Sheri Wantland, and Diane Lynch*
2. TEAM Tualatin Program Wrap-up – *Chanda Stone, Volunteer Specialist*

### C. CITIZEN COMMENTS

*This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

### D. CONSENT AGENDA (Item Nos. 1 – 3)

Page #

*The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and the Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." At that time, any member of the audience may comment on any item pulled from the Consent Agenda. The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.*

1. Approval of Minutes of the Meetings of June 9, 2008 and August 11, 2008 .....5
2. Resolution No. 4818-08 Authorizing a Revocable Permit for a Temporary .....22  
Construction Staging Area in the Blue Lot
3. Resolution No. 4819-08 Amending Water Rates Inside the City of Tualatin and .....35  
Rescinding Resolution No. 4805-08

### E. PUBLIC HEARINGS – Legislative or Other

1. Measure 37 Claim, Zian Limited Partnership Located at 19150 and .....42  
19190 SW 90<sup>th</sup> and 8505 – 8845 SW Tualatin-Sherwood Road (M37-06-01)  
*[continued from February 25, 2008]*
2. Resolution No. 4820-08 Requesting Exemption From Formal Competitive.....45  
Bidding Requirements for the Bridgeport Stormwater  
Conveyance System – Phase 2 in Association with the  
Shoppes at Bridgeport Project
3. Resolution No. 4821-08 Approving Changes to the Adopted 2008-2009 Budget.....52



**F. PUBLIC HEARINGS – Quasi-Judicial**

*None.*

**G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**I. COMMUNICATIONS FROM COUNCILORS**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**





Approved By Tualatin City Council

Date August 25, 2008

Recording Secretary g Kirby

## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager SL

**FROM:** Doug Rux, Community Development Director DR  
Eric Underwood, Development Coordinator EU

**DATE:** August 25, 2008

**SUBJECT:** RESOLUTION AUTHORIZING A REVOCABLE PERMIT FOR A  
TEMPORARY CONSTRUCTION STAGING AREA IN THE BLUE  
LOT

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### ISSUE BEFORE THE COUNCIL:

Whether the Tualatin City Council should adopt a resolution authorizing a revocable permit for a temporary construction staging area in the Blue Lot for remedial construction of the Aspen Place Building.

### RECOMMENDATION:

The Core Area Parking District Board recommended 4 to 0 that the City Council adopt the attached resolution.

Staff recommends that the City Council adopt the attached resolution.

### EXECUTIVE SUMMARY:

- This action is not a public hearing.
- This is a request of the City Council to authorize a temporary revocable permit for Aspen Place Building remedial construction.
- The Tualatin City Council approved a similar Revocable Permit for a construction staging area affiliated with the Mews Phase 2 exterior siding replacement construction project on August 13, 2007.
- Mr. Jeff Millis of Sean Gores Construction, Inc. is requesting a revocable permit for a construction staging area for a period of approximately four months expiring on December 31, 2008.



- The construction staging area consists of nine four-hour spaces and two long-term spaces, totaling eleven parking spaces in the Blue Lot adjacent to the west side of the Aspen Place Building located within the Central Urban Renewal District at 18785 SW Boones Ferry Rd (Tax Lot 500, Tax Map 2S124BC).
- The staging area will be limited to the project indicated in the permit application, which consists of the following:
  - Removal of both upper level concrete decks from the Aspen Place Building.
  - Replacement of waterproofing for occupied spaces located below the upper level concrete decks.
- The contractor, Mr. Jeff Millis, will be responsible for replacing any existing improvements damaged during construction and will be required to carry insurance protecting the City.
- There are no criteria to apply to this request.

#### **OUTCOMES OF DECISION:**

Approval of the request to for a revocable permit for a construction staging area will result in the following:

1. The facilitation of critical repairs to the Aspen Place Building.
2. Prevention of having to establish the construction staging area within the public right-of-way on SW Boones Ferry Road. Staging in the public right-of-way would necessitate additional precautionary measures, as well as limit maneuverability of construction equipment and is likely to impede normal traffic flow.
3. Fewer limitations on the construction crew in accessing equipment and materials.
4. The opportunity for a positive public/private partnership.
5. A slight impact on parking in the Blue Lot due to the displacement of nine four-hour spaces and two long-term spaces as a result of construction staging for a period of approximately four months.
6. A reduction in the number of four-hour spaces from nine to zero and long-term spaces from thirty-four to thirty two. Average usage of the four-hour spaces in the am hours is 4.6 and for the pm hours it is 4. Average usage for the long-term spaces in the am hours is 28.2 and for the pm hours it is 24.6. Based on these numbers, which were derived from a parking survey conducted in February 2008, there would still be approximately 29 spaces available on this lot at any time, which is more than the average usage. Additionally, there are several spaces available in the Green Lot and in the Red Lot, which are in close proximity to the Blue Lot.

Denial of the request for a revocable permit for a construction staging area will result in the following:

1. Another area for construction staging will have to be found.
2. The project may be prolonged due to restaging efforts.



**ALTERNATIVES TO RECOMMENDATION:**

Alternatives evaluated to approval of a revocable permit for a construction staging area are as follows:

1. Allowing a construction staging area in the public right-of-way along SW Boones Ferry Road.

**FINANCIAL IMPLICATIONS:**

There is no financial impact on the City. The contractor, Sean Gores Construction, Inc., will pay all necessary costs associated with the permit.

**PUBLIC INVOLVEMENT:**

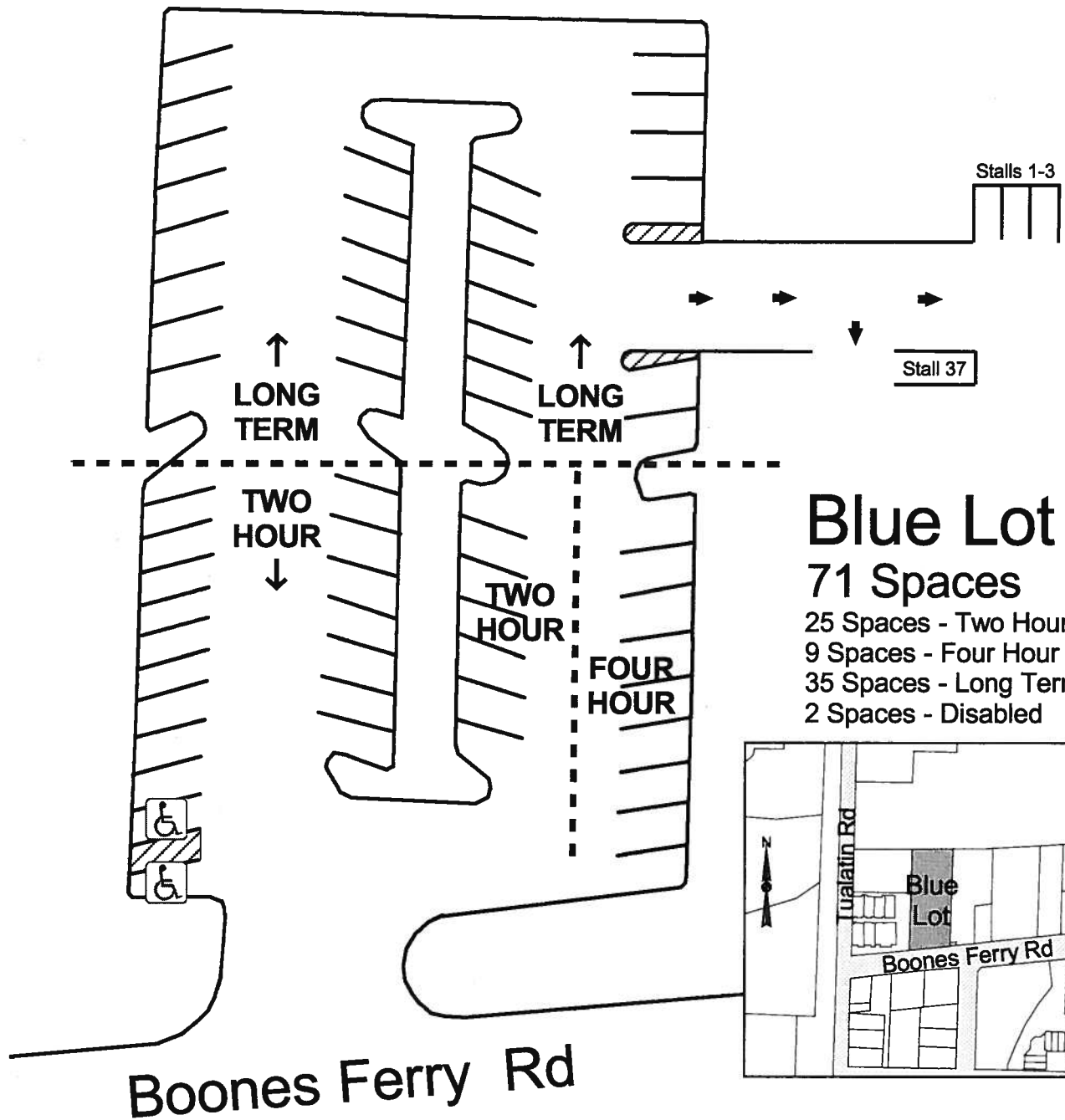
Public involvement is not required as part of this action. Staff notified tenants of the Tualatin Medical Plaza located to the east of the Blue Lot and sent copies of the project area map along with the associated staff memorandum addressed to the Core Area Parking District Board.

**Attachments:**

1. Map of Blue Lot
2. Aerial Map of Aspen Place Building
3. Map of Proposed Construction Fencing
4. Resolution with Exhibits



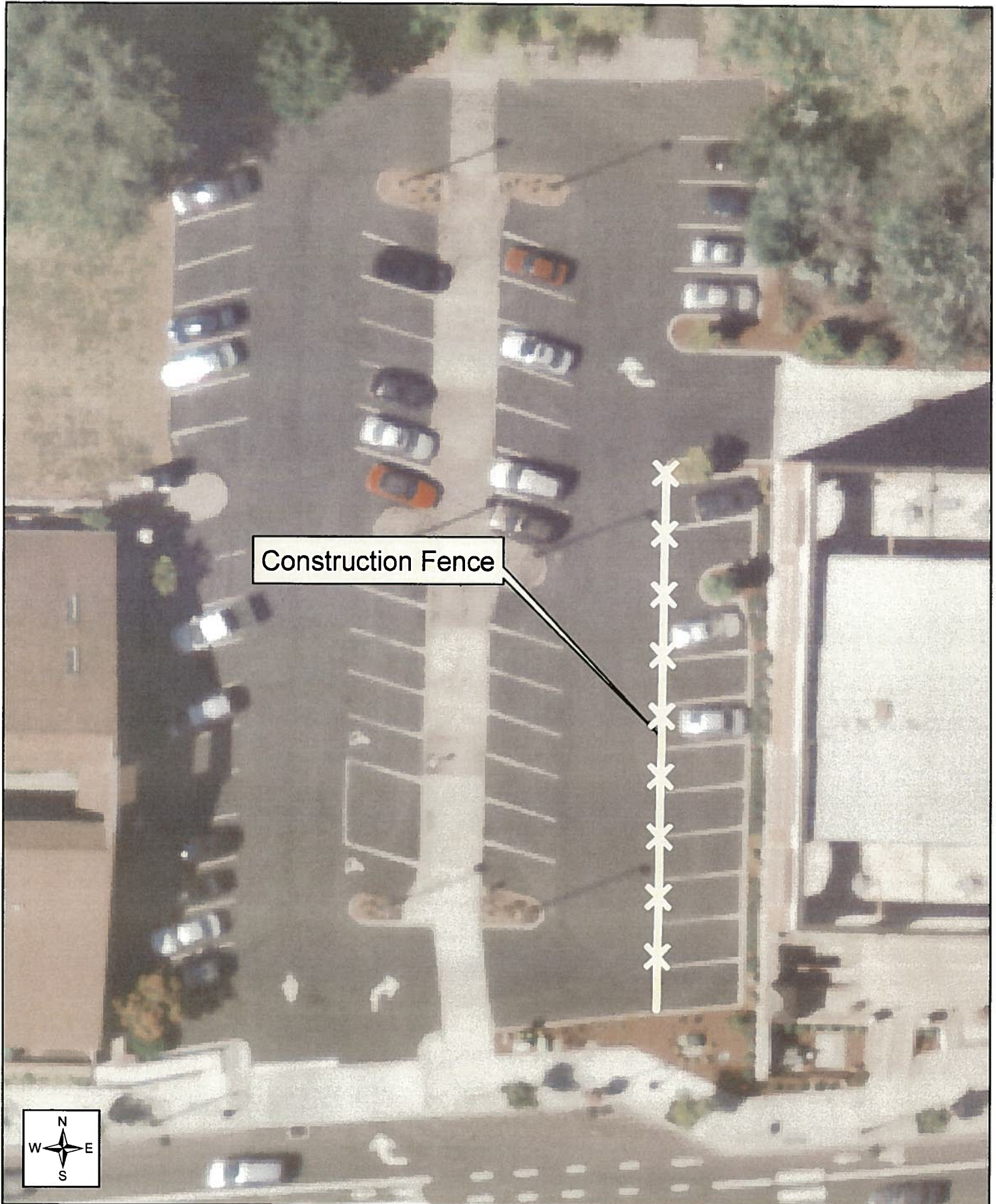
## Blue Lot (Lot H)













RESOLUTION NO. 4818-08

RESOLUTION AUTHORIZING A REVOCABLE  
PERMIT FOR A TEMPORARY CONSTRUCTION  
STAGING AREA IN THE BLUE LOT

WHEREAS Tualatin Municipal Code (TMC) 11-3-030(4)(d) establishes that the City Council shall consult the Core Area Parking District (CAPDB) concerning regulations of parking lots within the Core Area Parking District (CAPD) and other matters pertaining to the District; and

WHEREAS the CAPDB met on August 6, 2008, and reviewed Mr. Jeff Millis' initial request for a staging area using eleven parking spaces on the Blue Lot Parking Lot; and

WHEREAS the CAPDB concluded that this request is an acceptable and safe solution for the proposed construction and modifications to be made to the Aspen Place Building.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Mayor is authorized to sign the revocable permit, Exhibit A.

INTRODUCED AND ADOPTED this 25<sup>th</sup> day of August, 2008.


CITY OF TUALATIN, Oregon

By   
Mayor

ATTEST:

By   
City Recorder

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY

Resolution No. 4818-08



**REVOCABLE PERMIT**

KNOW ALL MEN BY THESE PRESENTS that the CITY OF TUALATIN ("Owner") grants to Sean Gores Construction, Inc. ("Permittee"), a revocable permit to use nine four-hour parking spaces and two long-term parking spaces in the Blue Lot (property) located in the City of Tualatin, Washington County, State of Oregon, for the purposes and subject to the conditions stated:

See Exhibits "A" and "B" that are attached and incorporated by this reference.

The general location of the area is shown on Exhibit "C". This permit is granted to the Permittee for the specific and limited purpose of establishing a temporary construction staging area on the west side of the Aspen Place Building in affiliation with remedial construction on property associated with Permittee.

This permit is granted subject to the following conditions:

- (1) Permittee shall not construct, place or locate or allow others to construct, place or locate any structures within the permit area described in Exhibits "A" and "B" except for improvements approved by Owner;
- (2) The construction storage area shall contain scaffolding, dumpster, and a dumpster shoot.
- (3) Permittee shall keep and maintain the areas free from all conditions that create a risk of injury or damage to those lawfully using the area, and shall indemnify and hold Owner and the Tualatin Development Commission harmless from any claims for injury, damage or loss of whatsoever nature arising out of or related to the use of the permit area.
- (4) At all times during the term of this permit, Permittee shall obtain and continue to carry public liability and property damage insurance in a responsible company with limits of not less than \$500,000.00 for injury to one person, \$1,000,000.00 for injury to two or more persons in one occurrence, and \$100,000.00 for damage to property (or, a single premium and limits policy providing the same coverages) issued by a company or companies authorized to issue such policies in Oregon and naming the Owner and the Tualatin Development Commission as an insured on said policy or policies of insurance. Certificates evidencing such insurance and bearing endorsements requiring ten (10) days written notice to Owner prior to any change or cancellation shall be furnished to Owner prior to Permittee's occupancy of the permit area.
- (5) Permittee shall fence off the portion of the Blue Lot to be used as the staging area to separate patrons from construction activity for a period not to exceed the date of December 31, 2008.
- (6) Permittee shall replace/repair any damaged property as a result of construction staging activities including but not limited to asphalt, concrete curb/sidewalk, signage, irrigation, striping and landscaping.



This Permit may be revoked by the Owner upon:

- (1) A determination of the Owner that the Permittee has violated or failed to satisfy any of the conditions of this permit, or
- (2) Upon determination by the Owner that the permit area is required for public purposes, and Owner shall provide written notice of revocation which shall be effective, without further action of either party, 30 days after the date of the notice.

If the Contractor declares a revocation of this permit under subparagraph (1), the written declaration shall be mailed to Permittee at the Permittee's address of record. The revocation shall be effective ten (10) days after the date of the written declaration. All rights and interests of the Permittee shall automatically terminate upon the effective date of the revocation.

Prior to the effective date of revocation of this permit, the Permittee, at its expense, shall cause all improvements to be removed from the permit area if so requested in the Declaration of Revocation and re-establish area to its pre-existing condition.

It is acknowledged by the Owner and Permittee that the proposed modifications must be in compliance with the City of Tualatin Architectural Review and building permit requirements.

This Permit is granted for the benefit of and the heirs and successors in interest of the Permittee who shall be bound by the conditions of this Permit.

IN WITNESS WHEREOF, the parties have executed this instrument on the date indicated below.

The City of Tualatin, Oregon

BY [Signature] 08/25/08  
Mayor Date

BY [Signature] 8-25-08  
City Manager Date

BY [Signature]  
Jeff Millis (Sean Gores Const., Inc.) Date

Sent for Recording  
By: T. D. C.



EXHIBIT "A"  
Legal Description

PARCEL I:

A tract of land in Section 24, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

Beginning at a point which bears South 593.8 feet and East 90 feet from the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of said Section 24, said point being the Southwest corner of that tract conveyed to Melinda C. Boon, by Deed recorded in Book 79, Page 157, Washington County Deed Records, said point being the center line of old Washington Street (now SW Tualatin Road, County Road No. 1063); thence South along the said center line 92.76 feet to the intersection of the North line of SW Boones Ferry Road and the center line of Washington Street; thence North 82° 54' East along the North line of SW Boones Ferry Road 115.1 feet to the true point of beginning, said point being the Southeast corner of that tract conveyed to Paul H. Hebb by Deed recorded in Book 574, Page 373, Washington County Deed Records; thence North along the East line of said Hebb Tract 92.76 feet to the Northeast corner thereof; thence North 82° 54' East 15 feet to the Southeast corner of that tract conveyed to James J. Harris, et ux, by Deed recorded July 20, 1953, in Book 347, Page 26, Washington County Deed Records; thence North along the East line of said Harris Tract, 170.03 feet to the Northeast corner thereof, being on the North line of that tract conveyed to Frank Smith, by Deed recorded December 17, 1928, in Book 140, Page 339, Washington County Deed Records; thence North 89° 04' East 110 feet to the Northeast corner of said Smith Tract, being the Northwest corner of that tract conveyed to Gottfried Frank, et ux, by Deed recorded July 5, 1955, in Book 370, Page 732, Deed Records; thence South along the West line of said Frank Tract 152.5 feet to the Southwest corner thereof; thence North 82° 54' East 15 feet to the Northwest corner of that tract conveyed to said Gottfried Frank, et ux, by Deed recorded July 5, 1955, in Book 370, Page 731, Washington County Deed Records; thence South along the West line of said last mentioned Frank Tract 100 feet to the North line of Boones Ferry Road; thence South 82° 54' West, 140 feet, more or less, to the true point of beginning.

PARCEL II:

The most Easterly 24.88 feet of the following described tract of land as cut off by a line parallel to and 24.88 feet West of the East boundary thereof, being a tract of land in Section 24, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

Beginning at a point which is 593.8 feet South and 90 feet East of the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of said Section 24, said point is also the Northwest corner of that tract of land conveyed to Paul H. Hebb, by Deed recorded in Book 526, Page 1, Records of Washington County; thence East along the North line of said Hebb Tract 10 feet to the East line of SW Tualatin Road, also known as County Road No. 1063, and the true point of beginning; thence East along said North line and the Easterly extension thereof, 119.5 feet, more or less, to an angle corner on the West line of that tract of land conveyed to Paul H. Hebb by Deed recorded in Book 565, Page 232,

(Continued)



Exhibit "A"  
Legal Description

Records of Washington County; thence North along said West line 186 feet, more or less, to the Northwest corner of the latter Hebb Tract, which point also lies on a creek; thence North  $89^{\circ} 40'$  West along the creek 115 feet, more or less, to the East line of aforementioned road; thence South along said East line 186 feet to the true point of beginning.

**PARCEL III:**

The most Easterly 10.08 feet of the following described tract of land as cut off by a line parallel to and 10.08 feet West of the East boundary thereof, being a tract of land in Section 24, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

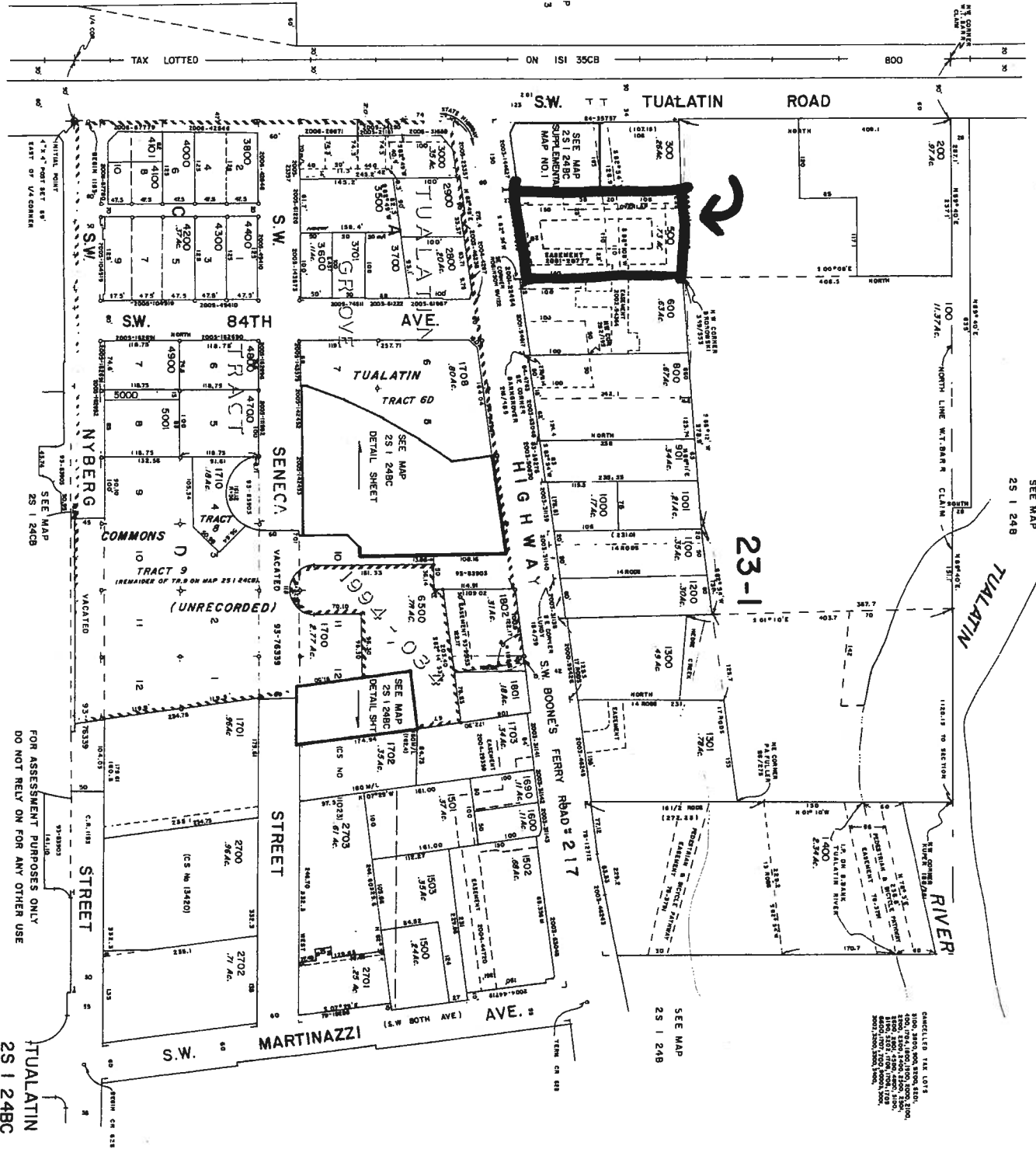
Beginning at the Southwest corner of the tract conveyed to Melinda C. Boon by Deed recorded April 29, 1908, in Book 79, Page 157, Records of Washington County, said point being in the center line of old Washington Street (now SW Tualatin Road, County Road No. 1063); thence South along the said center line 92.76 feet to the intersection of the North line of SW Boones Ferry Road and the center line of Washington Street; thence North  $82^{\circ} 54'$  East along the North line of SW Boones Ferry Road 115.1 feet to a point; thence North parallel with the East line of Washington Street 92.76 feet to a point on the South line of the aforementioned Boon Tract; thence Southwesterly along the South line to the true point of beginning.



SEE MAP  
25 | 24B

SEE MAP  
25 | 24B

SEE MAP  
25 1 23





TUALATIN

Public Parking Downtown

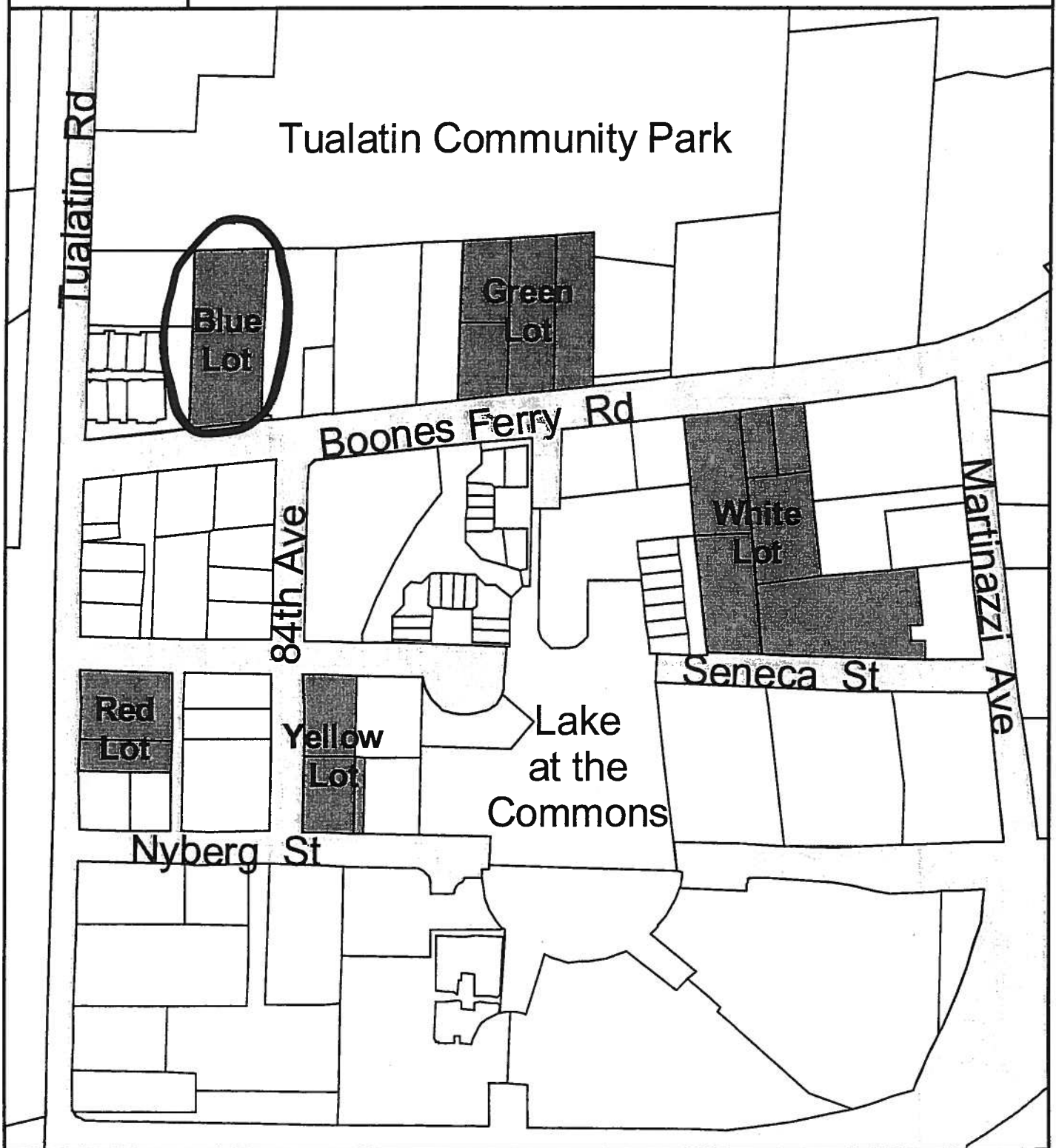
Geographic Information System

This map is derived from a GIS database and is not a survey. It is not to be used for legal purposes. The City of Tualatin is not responsible for any errors or omissions. This map is provided "as is". Any inaccuracies or omissions are the responsibility of the user. The map is not a warranty or a representation of any kind. The map is not a warranty or a representation of any kind. The map is not a warranty or a representation of any kind.

RF 1:2,500



 Parking Lots







Approved By Tualatin City Council

Date August 25, 2008

Recording Secretary J. Kirby

## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *SL*

**FROM:** Donald A. Hudson, Finance Director

**DATE:** August 25, 2008

**SUBJECT:** RESOLUTION AMENDING WATER RATES INSIDE THE CITY OF TUALATIN AND RESCINDING RESOLUTION NO. 4805-08

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### ISSUE BEFORE THE COUNCIL:

Whether to approve a resolution amending miscellaneous charges related to water service.

### RECOMMENDATION:

Staff recommends adoption of the attached resolution approving the changes to the miscellaneous charges.

### EXECUTIVE SUMMARY:

At the August 11, 2008 Council meeting, the City Council approved an ordinance making changes to Tualatin Municipal Code (TMC) 3-3, Water Fees. In the staff report that accompanied the ordinance, staff detailed the need to implement a \$10.00 Delinquency Notification Charge and to increase the Service Restoration Charge from \$10.00 to \$30.00. As promised in that staff report, we have returned with changes to the water rates resolution that was approved by the City Council in June. The attached resolution will rescind Resolution No. 4805-08, therefore making the changes to Section 8, Miscellaneous Charges. The other change made on the attached resolution is to remove the charge for processing NSF checks, as this fee is covered in the City of Tualatin Fee Schedule.

### OUTCOMES OF DECISION:

This action allows for the City to implement the previously discussed charges and better recoup our costs related to delinquent water accounts.



**FINANCIAL IMPLICATIONS:**

We anticipate that the number of door hangers will reduce from an average of 182 per month to 125 per month and the number of customers shut-off for non-payment will decrease from an average of 32 per month to 20 per month. Annual gross revenue for door hangers is estimated to be \$15,000 and the increase in service restoration fees will be approximately \$3,360 per year.

**Attachment:**        A. Resolution



A RESOLUTION AMENDING WATER RATES  
INSIDE THE CITY OF TUALATIN AND  
RESCINDING RESOLUTION 4805-08

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
TUALATIN, OREGON, that:

**Section 1. System Development Charges.**

(a) The schedule for the System Development Charges as of February 1, 2008 is as follows:

Meter Size	Meter Unit Equivalent	System Development Charge*
$\frac{5}{8}$ " x $\frac{3}{4}$ "	1	\$ 3,096
1"	2.5	\$ 7,741
1½"	5	\$ 15,480
2"	8	\$ 24,768
3"	15	\$ 49,537
4"	25	\$ 77,402
6"	50	\$ 154,801
8"	80	\$ 247,682
* The SDC payment for a single-family residence will be based on the meter size required for domestic water service and irrigation service. If a larger meter is required only for residential fire sprinkler service, the higher fee will not be charged.		

(b) Annual fee adjustment.

On February 1st of each year the Water SDC fees shall automatically increase. The amount of increase shall be the change in Engineering News Record (ENR) Construction Cost Index (CCI) for Seattle, WA. This increase will not require further action by the City Council.

**Section 2. In Lieu Tax Payments.** Where the City provides water service to properties outside of the City, which are not subject to bond taxes levied by the City for water system improvements, properties served by the City shall pay in lieu tax payment to the City as follows:

Annually within ninety (90) days after the true cash values are fixed by the tax assessing authority for those properties located outside of the City that are served by City water, the City will compute the "In Lieu Tax Payment" applying the City's tax rate for water system improvements for that year to the taxable



value furnished to the City. Payment of the obligation of the "In Lieu Tax Payment" will be made to the City within thirty (30) days of the bill being presented from the City to the property receiving City water service.

### **Section 3. Service Line Installation Charges.**

- (a) Deposits for installation of new water service lines are as follows:

Meter Size	Installation on Near Side of Water Main	Installation on Far Side of Water Main
5/8" x 3/4"	\$2,500	\$4,000
1"	\$2,500	\$4,000
1½"	\$5,000	\$7,000
2"	\$5,000	\$7,000

- (b) The City does not install any lines larger than 2" in diameter. The customer shall obtain a Public Works Permit from the City and have a private contractor install the service line to City standards for any service lines greater than 2" diameter.

- (c) After the service line is installed and the actual cost of the labor and materials is known, the customer will be billed for any additional charges over the deposit amount, or the customer will be issued a refund for any amount over the actual costs.

### **Section 4. Meter Installation Charges.**

- (a) Deposits for installation of new water service lines are as follows:

METER METHOD	
Meter Size (in inches)	Installation Charge
5/8 x 3/4, Drop-in meter	\$115
5/8 x 3/4, Service line & drop-in meter	Cost plus 15%
1, Drop-in meter	\$240
1, Service line & drop-in meter	Cost plus 15%
1½, Drop-in meter	\$450
1½, Service line & drop-in meter	Cost plus 15%
2, Drop-in meter	\$646
2, Service line & drop-in meter	Cost plus 15%
3, Service line & drop-in meter	Cost plus 15%
4, Service line & drop-in meter	Cost plus 15%
6, Service line & drop-in meter	Cost plus 15%
8, Service line & drop-in meter	Cost plus 15%
10, Service line & drop-in meter	Cost plus 15%
12, Service line & drop-in meter	Cost plus 15%



(b) Prior to the Operations Department installing the requested meter, the customer will make a deposit to the City based on an estimate of the actual cost. When the job is completed the customer will pay the balance, or be given a refund of the amount of deposit not used.

**Section 5. Monthly Rates.**

(a) The schedule of monthly water rates is amended as follows:

METER SIZE	FACILITIES CHARGE		SERVICE CHARGE	WATER CHARGE PER 100 CUBIC FT
	CLASS 1	CLASS 2		
5/8" x 3/4"	\$ 3.50	\$ 3.50	\$ 3.40	\$2.29
1"	\$ 8.75	\$ 8.75	\$ 3.40	\$2.29
1 1/2"	\$ 17.50	\$ 17.50	\$ 3.40	\$2.29
2"	\$ 28.00	\$ 28.00	\$ 3.40	\$2.29
3"	---	\$ 38.35	\$ 3.40	\$2.29
4"	---	\$ 65.70	\$ 3.40	\$2.29
6"	---	\$142.35	\$ 3.40	\$2.29
8"	---	\$273.75	\$ 3.40	\$2.29

The customer classes are:

Class 1: All single-residential dwellings, duplexes and triplexes; and

Class 2: All other services not included in Class 1.

(b) The rate changes in this section shall take effect for water consumed after June 30, 2008.

**Section 6. Water Wheeling Agreements.** The Council may enter into water wheeling agreements with other jurisdictions. These agreements will contain specific water rates and charges for each individual agreement.

**Section 7. Charges for Fire Protection Service.** The monthly charges for standby fire protection service are as follows:

Service Size	Rate
4"	\$13.50
6"	\$29.25
8"	\$56.25
10"	\$90.00

**Section 8. Miscellaneous Charges.** The following charges are imposed for service restoration, service termination and for account delinquencies:



(1) Restoration Charge.

(a) Where service has been terminated for delinquent bills or other violations, the charge for restoration of service shall be \$30.00.

(b) Water shall only be restored between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

(2) Emergency Shut-Off or Turn-On. When requested by a customer, the City will perform emergency shut-off or turn-on service for the following fee:

(a) Between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays - \$5.00.

(b) At any other time (subject to the availability of personnel) - \$10.00.

(3) Delinquency Notification Charge :

Whenever a utility account remains delinquent ten (10) days after the date of the mailed delinquent notice, a charge of \$10.00 may be assessed to the account to cover the costs of handling the delinquent account.

(4) Charge for restoring a meter that was removed by the City due to a violation of TMC 3-3-200:

When the City finds that one or more provisions of TMC 3-3-200 have been violated, the City may remove the meter and assess to the account a restoration charge of \$50.

**Section 9. Hydrant and Bulk Water Usage Charges.** The charge for the temporary use of hydrant meters, hydrant wrenches and valves, and temporary or bulk water is as follows:

ITEM	CHARGE
3" hydrant meter, wrench and valve deposit	\$700.00
¾" hydrant meter, wrench and valve deposit	\$250.00
Hydrant wrench and valve deposit permit fee	\$45.00
Bulk water permit fee	\$50.00 + water usage
Daily usage fee 3" hydrant meter	\$5.00
Daily usage fee ¾" hydrant meter	\$2.00
Water used (water charge per 100 cubic feet)	Current rate

(b) Water use from hydrant meters shall be for use within the city limits of Tualatin only.



(c) The bulk water permit will expire at the end of six months and the permit holder will be billed for the water used at the current rate per 100 cubic feet.

**Section 10.** Resolution 4805-08 is rescinded effective October 1, 2008.

**Section 11. Effective Date.** The effective date of this resolution is October 1, 2008.

INTRODUCED AND ADOPTED this 25<sup>th</sup> day of August 2008.

CITY OF TUALATIN, OREGON

BY

  
Mayor

ATTEST:

BY

  
City Recorder

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY





## STAFF REPORT CITY OF TUALATIN

Approved By Tualatin City Council

Date August 25, 2008

Recording Secretary J. Kirby

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *[Signature]*

**FROM:** Doug Rux, Community Development Director *[Signature]*  
William Harper, Associate Planner *[Signature]*

**DATE:** August 25, 2008

**SUBJECT:** MEASURE 37 CLAIM, ZIAN LIMITED PARTNERSHIP, LOCATED  
AT 19150 & 19190 SW 90th and 8505-8845 SW TUALATIN-  
SHERWOOD ROAD (M37-06-01)

---

### ISSUE BEFORE THE CITY COUNCIL:

Whether to accept the request from the Applicant to withdraw Measure 37 claim M37-06-01. The subject properties are identified as:

- 19150 SW 90<sup>th</sup> Avenue (Lot #2)  
(Tax Lot 2100 on Assessor's Map 2S1 23D),
- 19190 SW 90<sup>th</sup> Avenue (Lots #4 & 5)  
(Tax Lots 2400 and 2401 on Assessor's Map 2S1 23D),
- 8505-8845 SW Tualatin-Sherwood Road (Lots #6, 7, & 8)  
(Tax Lot 2600 on Assessor's Map 2S1 23D),

### RECOMMENDATION:

Staff recommends the City Council consider the Applicant's request for withdrawal, close the public hearing, and direct staff to notify the Applicant of acceptance and close the case file.

### EXECUTIVE SUMMARY:

The claim is a Measure 37 property compensation claim subject to Oregon Revised Statutes (ORS) 197.352 and the City of Tualatin Measure 37 Real Property Compensation Claim provisions in Tualatin Municipal Code (TMC) Chapter 12. The claim is also subject to Measure 49 approved by Oregon Voters in November, 2007. This measure limits Measure 37 claims to allowing 3-10 houses to be built under certain circumstances, but no longer allows claims for commercial or industrial uses.

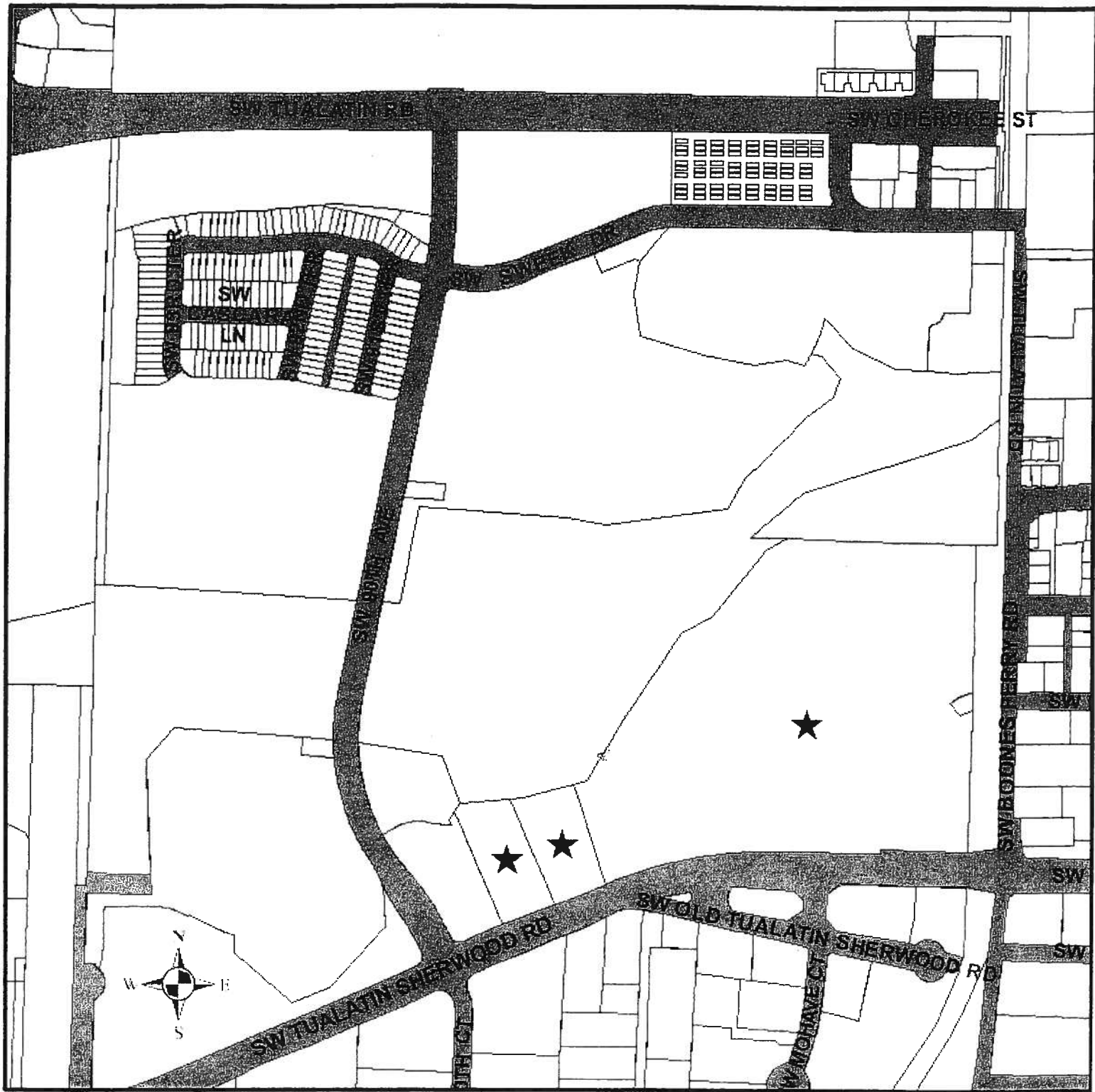


On April 2, 2007, the Claimant requested a 180-day continuance of the April 23, 2007 hearing date, which City Council approved, and the hearing was continued to October 8, 2007. On September 7, 2007, the Claimant requested a second 180-day continuance and the hearing was continued to February 25, 2008. Again at the request of the Claimant, on February 25, 2008, the Council continued the hearing to August 25, 2008.

On August 5, 2008, the Applicant withdrew the Measure 37 claim.

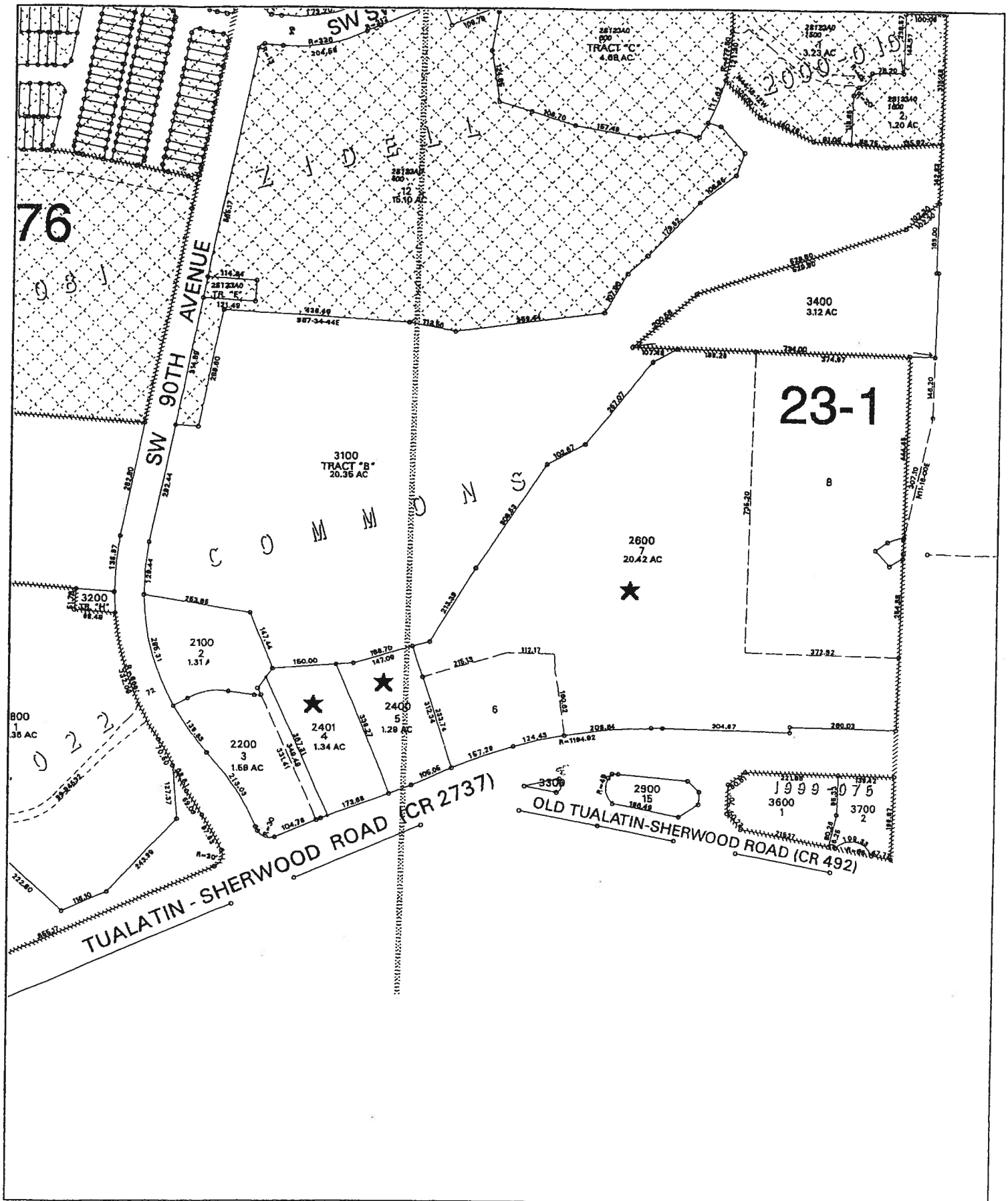
**Attachments:** A. Vicinity Map, Tax Map  
B. Applicant's Request for Withdrawal





VICINITY MAP





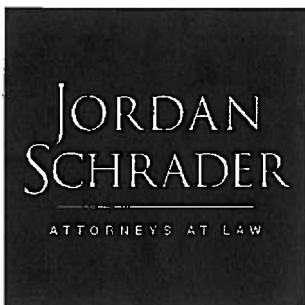
THIS MAP IS FURNISHED AS A CONVENIENCE BY PACIFIC NORTHWEST TITLE

This map is not a survey and does not show the location of  
The company assumes no liability for errors and

MAP # 2S123D0 02100

N





JORDAN SCHRADER RAMIS PC

VIA E-MAIL: wharper@ci.tualatin.or.us  
AND FIRST CLASS MAIL

August 5, 2008

William Harper, AICP  
Associate Planner  
City of Tualatin  
18880 SW Martinazzi Ave  
Tualatin OR 97062-7092

Re: **M37-06-01 /Zian Limited Partnership**  
Our File No. 49645-36009

EDWARD H. TROMPKE

Admitted in:  
Oregon

Direct Dial  
(503) 598-5532

E-mail  
ed.trompke@jordanschrader.com

Dear Mr. Harper:

Thank you for your letter of July 31, 2008, requesting confirmation of our client's intent with respect to its pending Measure 37 Claim.

Please accept my apologies for not advising you earlier, but I did confirm with my client that (in light of Measure 49) its Measure 37 Claim can be withdrawn. There is no need to schedule a public hearing on this matter.

Thank you.

Sincerely,

JORDAN SCHRADER RAMIS PC

Edward H. Trompke

cc: Zian Limited Partnership



Attachment B  
Applicant's Request for Withdrawal





Approved By Tualatin City Council

Date August 25, 2008

Recording Secretary J. Kirby

## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *[Signature]*

**FROM:** Michael A. McKillip, City Engineer *[Signature]*  
Dayna Webb, Project Engineer *[Signature]*

**DATE:** August 25, 2008

**SUBJECT:** RESOLUTION REQUESTING EXEMPTION FROM FORMAL  
COMPETITIVE BIDDING REQUIREMENTS FOR THE  
BRIDGEPORT STORMWATER CONVEYANCE SYSTEM –  
PHASE 2 IN ASSOCIATION WITH THE SHOPPES AT  
BRIDGEPORT PROJECT

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### ISSUE BEFORE THE COUNCIL:

Should the Council, acting as the Contract Review Board, grant an exemption from formal competitive bidding requirements for the Bridgeport Stormwater Conveyance System – Phase 2 in association with the Shoppes at Bridgeport Project.

### RECOMMENDATION:

Staff recommends that the City Council, sitting as the Local Contract Review Board, adopt the attached resolution authorizing an exemption from the public bidding process and directing the City Engineer to enter into an agreement with the developer to complete the work.

### EXECUTIVE SUMMARY:

This is a public hearing; it does not follow either the legislative or quasi-judicial process. This is required by Tualatin Purchasing Rules identified in TMC 1-21-090 Public Contracts – Process for Approval of Special Solicitation Methods and Exemptions.

The scope of this project includes the construction of the Bridgeport Stormwater Conveyance System – Phase 2. Phase 1 constructed the section from the Tualatin River to the north side of SW Lower Boones Ferry Road. Phase 1 was completed in late April 2007, just barely in time for the opening of the Claim Jumper Restaurant. Phase 2 includes the construction of the line from the north side of SW Lower Boones Ferry Road to the existing drywell in SW Hazel Fern Road.



RESOLUTION REQUESTING EXEMPTION FROM FORMAL  
COMPETITIVE BIDDING REQUIREMENTS

August 25, 2008

Page 2 of 2

A private development project has been proposed along the alignment of Phase 2. As a part of their improvement requirements, the developer will be addressing road widening and realignment, as well as storm drainage on SW Hazel Fern Road. Additionally, the Phase 2 alignment is located within the limits of their private development project. Rushforth Construction Company, Inc has been chosen by the developer as the General Contractor. The City will need to construct our storm project at the same time as the construction is occurring for the Shoppes at Bridgeport. Three bids were received for the work from bidding contractors. A low bid of \$248,010.28 has been received for the Phase 2 project. Rather than hiring another contractor that will need to closely coordinate with the developer's contractor, it makes sense to allow the developers contractor to complete this work. Additionally, a contractor that is already located on site will generally have lower costs, as they are already mobilized on-site, and will not have to coordinate with other contractors.

On September 8, 2004, the City Council adopted a resolution to allow an exemption from formal competitive bidding requirements for the 74<sup>th</sup> Avenue Water Line Upgrades in Association with the Ash Creek Estates Subdivision. This accommodated the filling over the City of Tualatin waterline located within the proposed subdivision. Additionally, this allowed the project the ability to complete the project within the in water work window. This project is similar because of need to coordinate City work through private development project.

**Background:**

Under Tualatin Municipal Code (TMC) 1-21-090 Public Contracts – Process for Approval of Special Solicitation Methods and Exemptions (1) the City Council, in its capacity as contract review board for the City, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract. (2) The basis for approval of a special solicitation method or exemption from competition must be based upon a record before the City Council that contains the following:

- (a) The nature of the contract or class of contracts for which the special solicitation or exemption is requested;
- (b) The estimated contract price or cost of the project, if relevant;
- (c) Findings to support the substation cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;
- (d) Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the solicitation requirements that would otherwise be application under these regulations;
- (e) A description of the proposed alternative contracting method to be employed; and



RESOLUTION REQUESTING EXEMPTION FROM FORMAL  
COMPETITIVE BIDDING REQUIREMENTS

August 25, 2008

Page 3 of 3

- (f) The estimated date by which it would be necessary to let the contract(s).
- (3) In making a determination regarding a special selection method, the City Council may consider the type, cost, amount of the contract or class of the contracts, number of persons available to make offers, and such factors as it may deem appropriate.

**Analysis:**

(2) The basis for approval of a special solicitation method or exemption from competition must be based upon a record before the City Council that contains the following:

- (a) The project consists of 254 lf of new 24" storm pipe, 824 lf of new 18" storm pipe and 355 lf of new 12 "storm pipe. This new storm line will serve the redeveloping area between SW Lower Boones Ferry Road and SW Bridgeport Road.
- (b) The bid price presented to the City from the developer to complete the construction is \$248,010.28. This is a result of three bids for the entire project. Based on unit prices from Phase 1, this represents a substantial cost savings.
- (c) This project has very specific performance requirements. The coordination of the developer's improvements and other infrastructure improvements, as well as the construction of our storm line is essential. The developer, their engineer and contractor have already provided preliminary engineering work, submitted for permits for work in SW Lower Boones Ferry Road and are ready to mobilize to start construction. For the City to hire another contractor will require at least a three-month timetable. Project cost saving items include:
  - Preparation of Project Specifications – \$10,000 - \$12,000
  - Printing & Advertising - \$5,500
  - Obtaining Permits - \$5,500

Due to economy of scale, the contractor that has been hired by the developer can construct the storm line at a lower cost than if we hired another contractor to just do the storm line.

- (d) Competitive Bidding is inappropriate for the following reasons:
- The need to coordinate with the other construction activities taking place in a limited construction area.
  - The developer's contractor will already be mobilized on-site providing cost savings if we allow them to complete the installation vs. another contractor that will need to mobilize.
  - The developer and their representatives have already or are close to obtaining the required permits from Washington County, Clean Water Services and Oregon Department of Environmental Quality. If another contractor is hired, we will need to obtain our own permits.
  - Timing is essential to this project as the contractor started the private work already. If the City is required to go out to bid for a contractor it will take 3 months to advertise and award a contract.



## RESOLUTION REQUESTING EXEMPTION FROM FORMAL COMPETITIVE BIDDING REQUIREMENTS

August 25, 2008

Page 4 of 4

- The exemption is not likely to encourage favoritism or diminish competition in awarding the contract as the developer requested bids from three contractors. These contractors were selected to bid based on their ability to perform the work in a timely manner.
  - (e) The proposed alternative contracting method to be employed is exemption from public competition, for award of a specific contract.
  - (f) The estimated date by which it would be necessary to let the contract is as soon as possible.
- (3) We have used this process before in similar situations. Staff has been working with this developer for over two years to determine alignment of this storm system. The alignment could not be finalized until the Architectural Review and on-site layout work was completed. This allowed developer and staff to coordinate on-site utilities and building locations and still provide a public storm system available to adjacent properties.

### **OUTCOMES OF DECISION:**

Authorizing the exemption from public bidding will result in the following:

- Ability to enter into a contract with VIPS Industries, the developer of the project to complete the storm system work.
- Provides opportunity for a positive public/private partnership.

Not authorizing the exemption from public bidding will result in the following:

- The City will be required to go out to bid and obtain a separate contractor for the storm system work.
- Potential conflicts between public and private contractors on-site.

### **FINANCIAL IMPLICATIONS:**

Phase 2 of this project has been budgeted in the Storm Drain SDC Fund as project DD0601. The expenditures would be required regardless of the exemption from public competitive bidding.

### **PUBLIC INVOLVEMENT:**

The public hearing was noticed for the Contract Review Board in the *Daily Journal of Commerce* on August 6, 2008 and the *Tualatin Times* on August 7, 2008.

**Attachments:**      A. Resolution  
                             B. Vicinity Map



VICINITY MAP





RESOLUTION NO. 4820-08

RESOLUTION REQUESTING EXEMPTION FROM FORMAL  
COMPETITIVE BIDDING REQUIREMENTS FOR THE  
BRIDGEPORT STORMWATER CONVEYANCE SYSTEM –  
PHASE 2 IN ASSOCIATION WITH THE SHOPPES AT  
BRIDGEPORT PROJECT

WHEREAS the City of Tualatin formally requested the Local Contract Review Board exempt the Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project from the competitive bidding process; and

WHEREAS a public hearing was noticed for the Contract Review Board in the *Daily Journal of Commerce* on August 6, 2008 and in the *Tualatin Times* on August 7, 2008, to consider an exemption from competitive bidding requirements for the Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project; and

WHEREAS the need to coordinate with other construction activities taking place in a limited construction area is paramount; and

WHEREAS the developer and/or his contractor will already have obtained the required permits; and

WHEREAS the developers contractor will already be mobilized on-site providing additional cost savings; and

WHEREAS the proposed contractor will save the City of Tualatin time and money in time and labor necessary to produce a contract document and award a separate contract; and

WHEREAS timing is essential to this project; and

WHEREAS it is in the best interest of the public and the public health to be exempt from this bidding process to accomplish this project in a timely manner; and

WHEREAS the timing of the construction of the Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project is critical to ensure an adequate storm drainage system to accommodate the proposed project.



BE IT RESOLVED BY THE CITY COUNCIL, SITTING AS THE LOCAL CONTRACT REVIEW BOARD, OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project is exempt from competitive bidding procedures.

Section 2. The Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project falls under the exemptions found in ORS 279.015 and the Tualatin Municipal Code Chapter 1-20 of the City of Tualatin in that:

- The awarding of this contract to the developer's contractor who will already be located on-site with the required permits will result in a substantial cost savings to the public contracting agency.

Section 3. The City Engineer is authorized to enter into an agreement with the contractor to perform the Bridgeport Stormwater Conveyance System – Phase 2 project in association with the Shoppes at Bridgeport project.

INTRODUCED AND ADOPTED this 25<sup>th</sup> day of August, 2008.

CITY OF TUALATIN, OREGON

BY

  
\_\_\_\_\_  
Mayor

ATTEST:

BY

  
\_\_\_\_\_  
City Recorder

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
CITY ATTORNEY






Approved By Tualatin City Council  
Date August 25, 2008  
Recording Secretary J. Kirby

## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager 

**FROM:** Donald A. Hudson, Finance Director

**DATE:** August 25, 2008

**SUBJECT:** PUBLIC HEARING ON PROPOSED SUPPLEMENTAL BUDGET  
AND CHANGES TO THE ADOPTED 2008-2009 BUDGET

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### ISSUE BEFORE THE COUNCIL:

Public Hearing to discuss the proposed supplemental budget.

### RECOMMENDATION:

Staff recommends adopting the attached Resolution after conducting the required public hearing.

### EXECUTIVE SUMMARY:

Occasionally, it becomes necessary after the budget is adopted to increase the total expenditures of a fund. Oregon Revised Statutes (ORS) 294.480, *Supplemental budget in certain cases; no increase in property taxes permitted*, allows for an increase under certain circumstances. One such circumstance is when an occurrence or condition which had not been ascertained at the time of the preparation of the budget.

ORS 294.480 spells out the process for adopting a supplemental budget. In one of the cases described below, the proposed transfer of appropriations involves a transfer from the General Account Reserve, requiring a supplemental budget. Therefore, the City Council can adopt the supplemental budget at a regular meeting of the governing body by resolution, after holding a public hearing on the supplemental budget. Notice of the public hearing is required to be published as required by Budget Law. This notice was published on August 14, 2008.

Additionally, it occasionally becomes necessary after the budget is adopted to increase the total expenditures of a category within a fund. ORS 294.450, *Transfers of appropriations within fund or from one fund to another; appropriation of pass-through revenues*, allows for the transfer of existing appropriations within the same fund. A



transfer of appropriation is a decrease of one existing appropriation and a corresponding increase of another existing appropriation. In this case, the net effect to the fund is zero. To transfer an appropriation, the governing body must pass a resolution authorizing the transfer. An appropriation transfer does not require a public hearing be held.

Another allowed change to the adopted budget is covered under ORS 294.326(3), which allows for expenditures in the year of receipt of grants for a specific purpose to be made after an enactment of a resolution authorizing the expenditure.

The public hearing this evening is necessary due to increased expenditures in the Tualatin Science & Technology Scholarship Fund. Due to the quality of the applications received, the scholarship committee authorized a total of \$5,000 in scholarships to be awarded. The scholarship budget is \$3,000, but there are available monies in the General Account Reserve for additional scholarships. Since the extra funds are held in a reserve line item, Local Budget Law requires a public hearing be held before authorizing the transfer of funds from this account.

Not required to be part of the public hearing, but included in the resolution are the following budget changes:

Also required under the supplemental budget statute is the addition to the budget related to the expanded Municipal Court. The increase to the Court budget is \$90,000. We anticipate receiving an additional \$90,000 in Other Court Fines revenue in the General Fund. The additional costs for the set-up and operation of the expanded Municipal Court include \$60,000 in salary and benefits for the Court Administrator, \$20,750 in Materials and Services for the contract judge, office supplies, travel and training (primarily for the new software system), printing and postage, and \$9,250 in capital costs for the court software program. Since the total increase in the General Fund for these additional expenditures is below 10% of the total fund appropriations, a supplemental budget is required, but it does not need to be preceded by a public hearing.

Projects #WA0801 and #RD0801 are projects in the Water Development Fund and Road Development Fund, respectively, that have additional costs due to delays and changes to the original project scope. There is sufficient money in Water Development Fund - Contingency and Road Development Fund –Contingency to cover the additional costs.

Lastly, in early July, we received notice of a grant from the Metropolitan Area Communications Commission (MACC) for PCN (Public Communications Network) Technology Communications Enhancement related to a server upgrade project. This grant, in the amount of \$64,162, will pay for network switches and other equipment to better serve our computer network. This grant was not included during the budget process because of the uncertainty of receiving the funds and the amount available.



**OUTCOMES OF DECISION:**

Failure to pass the resolution puts the City in danger of not complying with Local Budget Law.

**FINANCIAL IMPLICATIONS:**

In most cases, the net effect to the affected funds is zero, as it is simply a transfer of already approved appropriations. The impact to the General Fund for the Municipal Court and the MACC grant is also zero, due to the increased revenue we will be receiving.

**Attachments:**

- A. Resolution
- B. Exhibit A to the Resolution



RESOLUTION NO. 4821-08

RESOLUTION APPROVING CHANGES TO THE ADOPTED 2008-2009  
BUDGET

WHEREAS after the budget process for the 2008-2009 fiscal year was completed, an occurrence or condition arose that could not have been ascertained at the time of the budget preparation; and

WHEREAS revenues in excess of the budgeted amount will be received in the 2008-2009 fiscal year to cover the additional expenses;

WHEREAS in order to lawfully comply with the requirements of Local Budget Law, a supplemental budget, including transfers of appropriations and receipt of new revenue, is necessary; and

WHEREAS Oregon Revised Statutes (ORS) 294.480 allows for the preparation and adoption of a supplemental budget, ORS 294.450 allows for the transfer of appropriations decreasing an existing appropriation in a fund and increasing an existing appropriation in the same fund and ORS 294.326(3) allows for expenditures in the year of receipt of grants for a specific purpose to be made after enactment of a resolution authorizing the expenditure.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN,  
OREGON, that:

Section 1. The City Council wishes to comply with Local Budget Law, adopt a supplemental budget for the 2008-2009 fiscal year, transfer existing appropriations within the same fund and authorize spending of additional grant funds; and

Section 2. Additions to the budget and appropriation transfers should be made as detailed in Exhibit A to this Resolution.

INTRODUCED AND ADOPTED this 25<sup>th</sup> day of August, 2008.

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY

CITY OF TUALATIN, OREGON

BY

  
Mayor

ATTEST:

BY

  
City Recorder



# Exhibit A

## City of Tualatin Fiscal Year 2008 - 2009 Budget Changes, August 2008

To	Amount	From	Amount	Notes
Water Development - Fund Projects	\$ 300,000	Water Development - Contingency	\$ 300,000	Project #WA0801
Road Development - Fund Projects	\$ 150,000	Road Development - Contingency	\$ 150,000	Project #RD0801
Scholarships	\$ 2,000	General Account Reserve	\$ 2,000	Increase Scholarships
<b>Increase - Revenue</b>	<b>Amount</b>	<b>Increase - Expenditure</b>	<b>Amount</b>	<b>Notes</b>
Municipal Court				
Other Court Fines	\$ 90,000	Full-Time Salaries	\$ 42,300	
		FICA	\$ 3,236	
		Pension	\$ 4,457	
		Insurance	\$ 10,007	
		Office Supplies	\$ 2,500	
		Printing & Postage	\$ 1,800	
		Conferences & Meetings	\$ 1,750	
		Training	\$ 1,550	
		Legal (Contract Judge)	\$ 11,700	
		Administrative Expense	\$ 1,450	
		Equipment & Furnishings	\$ 9,250	
PCN Operations Grant	\$ 64,162	Equipment and Furnishings	\$ 64,162	Project #CM0901